

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION,
TUESDAY, JUNE 13, 196 7.

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber Tuesday
evening, June 13, A.D., 196 7 in Regular Session. President
Edwin J. Rousseau in the chair, and Clara L. Ulrich, Chief Deputy City Clerk, at the desk,
present the following members viz:

Buchanan ✓ Dunifon ✓ Fay ab✓ Hinga ✓ Nuckols ✓ Robinson ✓
Rousseau ✓ Steigerwald ✓ Tipton ✓

Absent 1 viz: Councilman 8

monthly report of mayor

The minutes of the last regular May 23, 1967 session having been delivered to the
Council, were, on Motion, approved as published.



City of Fort Wayne

HAROLD S. ZEIS
Mayor

COMMUNICATION FROM THE MAYOR

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, May 24th, 1967, I have approved the following ordinances passed by the Common Council at its regular meeting on May 23, 1967:

(Bill No. Z-67-01-09)

ZONING MAP ORDINANCE NO. Z-107-67

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF-12.

(Bill No. Z-67-02-11)

ZONING MAP ORDINANCE NO. Z-108-67

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-15.

(Bill No. Z-67-02-27)

ZONING MAP ORDINANCE NO. Z-109-67

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-1.

(Bill No. S-67-05-01)

SPECIAL ORDINANCE NO. S-461-67

AN ORDINANCE authorizing the lease of additional land at Baer Field for enlargement of the Baer Field Inn.

(Bill No. S-67-05-02)

SPECIAL ORDINANCE NO. S-462-67

AN ORDINANCE approving a contract with INTERNATIONAL HARVESTER CO. for one 1967 Cab and Chassis for Sewer Maintenance Department.

(Bill No. S-67-05-03)

SPECIAL ORDINANCE NO. S-463-67

AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS, INC. for one 1967 Ford Cab and Chassis for the Water Construction Department.

(Bill No. S-67-05-04)

SPECIAL ORDINANCE NO. S-464-67

AN ORDINANCE approving a contract with RIES EQUIPMENT CO., INC. for one Elgin Educator for the Sewer Maintenance Department.



MADE A MATTER OF RECORD
DATE 6/13/67 WALTER C. FEYER, CITY CLERK

(Bill No. S-67-05-05)

SPECIAL ORDINANCE NO. S-465-67

AN ORDINANCE approving a contract with INTERNATIONAL HARVESTER CO. for one 1967 Cab and Chassis for the Sewage Treatment Plant.

(Bill No. S-67-05-06)

SPECIAL ORDINANCE NO. S-466-67

AN ORDINANCE approving a contract with GENERAL ELECTRIC SUPPLY CO. for Replacement Supplies for the Water Filtration Plant.

(Bill No. S-67-05-07)

SPECIAL ORDINANCE NO. S-467-67

AN ORDINANCE approving a contract with DAILEY ASPHALT PRODUCTS CO., INC. for Road Oil.

(Bill No. S-67-05-08)

SPECIAL ORDINANCE NO. S-468-67

AN ORDINANCE approving a contract with WESTINGHOUSE ELECTRICAL SUPPLY for insulated copper cable for the Light Construction Dept.

(Bill No. S-67-05-09)

SPECIAL ORDINANCE NO. S-469-67

AN ORDINANCE approving a contract with GENERAL ELECTRIC SUPPLY CO. for Power Cable for the Light Construction Department.

(Bill No. S-67-05-10)

SPECIAL ORDINANCE NO. S-470-67

AN ORDINANCE approving a contract with SCHEELE CONSTRUCTION, INC. and CITY OF FORT WAYNE for Sewer Resolution No. 177-1967, McMillen Park-Hessen Cassel Road Storm Sewer.

(Bill No. S-67-05-11)

SPECIAL ORDINANCE NO. S-471-67

AN ORDINANCE approving payments to BROOKS CONSTRUCTION CO., INC., WAYNE ASPHALT AND CONSTRUCTION CO., INC., and DAILEY ASPHALT PRODUCTS CO., INC. for street repairs.

(Bill No. S-67-05-12)

SPECIAL ORDINANCE NO. S-472-67

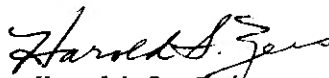
AN ORDINANCE approving a certain bid document between the City of Fort Wayne and GENERAL TRUCK SALES CORP. for one 1967, 25500# GVW Cab and Chassis for the Street Department.

(Bill No. S-67-05-13)

SPECIAL ORDINANCE NO. S-473-67

AN ORDINANCE approving a certain bid document between the City of Fort Wayne and ELLIOTT EQUIPMENT CORP. for traffic detectors for the office of Traffic Engineer.

Respectfully submitted,


Harold S. Zeis
Mayor



City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

May 25, 1967

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City Hall
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:


Attached hereto is a resolution for the vacation of an easement in Interstate Industrial Park along with recommendations of the City Plan Commission on four (4) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-67-03-19
Bill No. Z-67-04-07
Bill No. Z-67-04-10
Bill No. Z-67-04-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of May 1967.


Mary Ann Haynie
Secretary

MADE A MATTER OF RECORD

DATE 6/13/67 WALTER C. MEYERS, CITY CLERK



R E S O L U T I O N

WHEREAS, NATIONAL OIL CORPORATION, an Indiana corporation, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility and surface drainage easement in the City of Fort Wayne, Allen County, Indiana, to-wit:

The East 11 feet of the West 14 feet of the South 113.03 feet of Block 1, Interstate Industrial Park, Section A, an addition to the City of Fort Wayne, as recorded in the offices of the Recorder of Allen County, Indiana, in Plat Book 26, pages 65-67,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Indiana Statutes, Annotated, 1964 Replacement, Section 53-744; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 22nd day of May, 1967, at 7:30 o'clock P. M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public utility and surface drainage easement;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public utility and surface drainage easement hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public utility and surface drainage

easement hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of public utility and surface drainage easements and other public ways in the City of Fort Wayne, Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, ARTHUR C. RICHARD, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on May 22, 1967, and as the same appears of record in the official records of said Plan Commission.

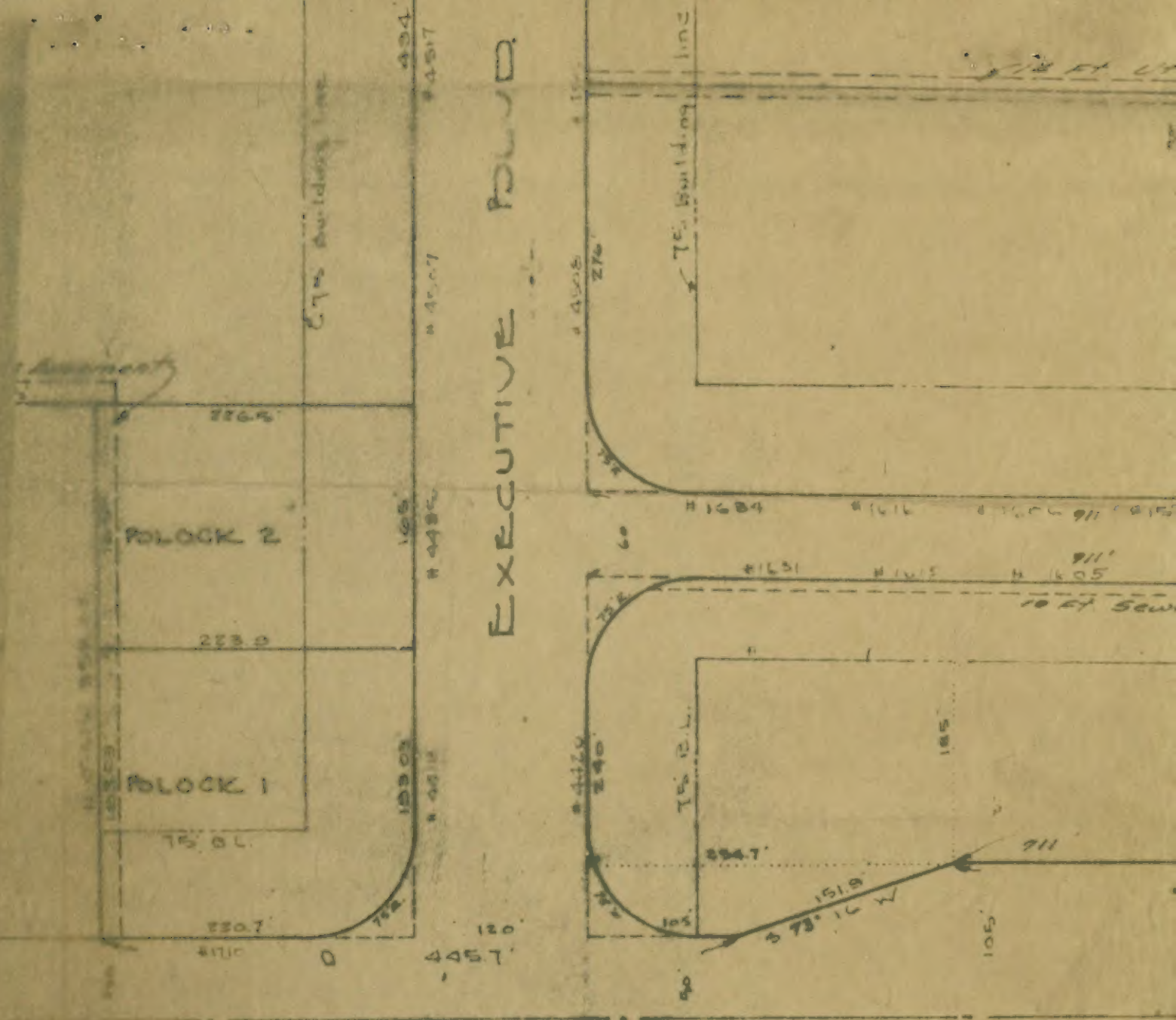
DATED THE 22nd DAY OF MAY, 1967.



Arthur C. Richard, President
Fort Wayne City Plan Commission

THIS INSTRUMENT PREPARED BY:

Edward J. Moppert, Jr., Attorney at law



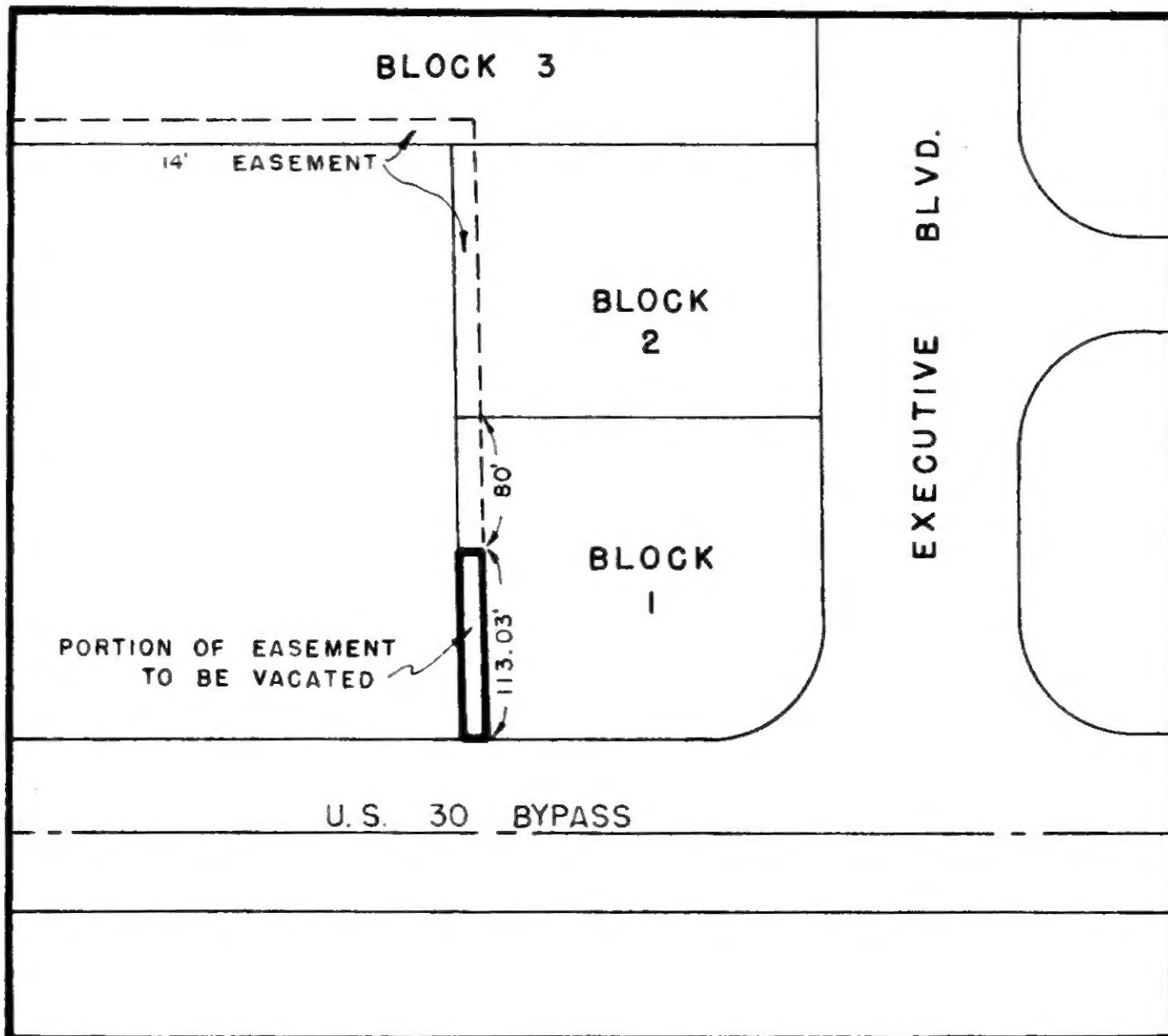
DULY ENTERED FOR TAXATION

JAN 11 - 1961

W. K. Gottschal
A. J. Gottschal

INTERSTATE
An Addition to the C

U. K. GOTTSCHAL
January 6 1961



PROPOSED VACATION OF EASEMENT

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 28, 1967, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-67-03-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

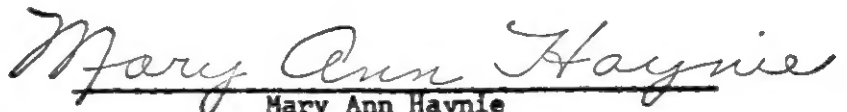
WHEREAS, the City Plna Commission conducted a public hearing on such proposed ordinance on April 17, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 24, 1967.

Certified and signed this
24th day of May 1967.



Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 11, 1967, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-67-04-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

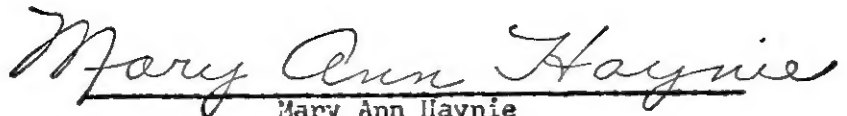
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1967.

Certified and signed this
24th day of May 1967.


Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 11, 1967, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-67-04-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

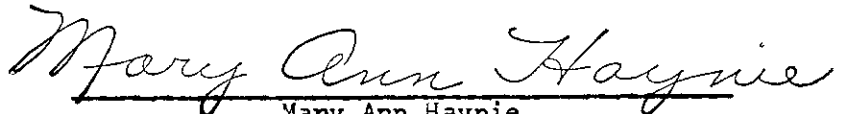
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1967.

Certified and signed this
24th day of May 1967.



Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 11, 1967, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-67-04-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

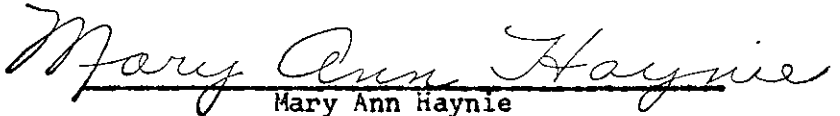
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1967;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1967.

Certified and signed this
24th day of May 1967.


Mary Ann Haynie
Secretary

City of Fort Wayne

BOARD OF PUBLIC SAFETY

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

May 25, 1967

President of the Common Council
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions numbers 21/67/E, 22/67/E, 23/67/E, 24/67/E, 25/67/E, 26/27/E, 27/67/E, and 28/67/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman
BOARD OF PUBLIC SAFETY

BY: 
George W. Bormuth, Exec. Sec'y.

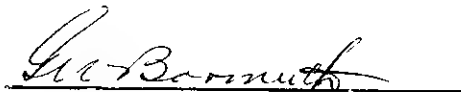
ah



MADE A MATTER OF RECORD
DATE 6/13/67 WALTER C. MEYERS, CITY CLERK

RETURN CERTIFICATE
21/67/E, 22/67/E, 23/67/E, 24/67/E, 25/67/E, 26/67/E, &
(Regulatory Resolution No. **28/67** / **D**)

I hereby certify that I did this 25th day of
May, 196 **7** deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
21/67/E, 22/67/E, 23/67/E, 24/67/E, 25/67/E, 26/67/E, &
Regulatory Resolution No. 28/67/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO 21-67/E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution 11/67/E.

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 23, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55, adopted FEB. 14, 1961, to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 25,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. **Renew and extend Regulatory Resolution 11/67/E.**

Stop Intersection.

1. **Ardmore Avenue - STOP - at North Washington Road.**

No Parking:

1. **Anthony Blvd. - west side - from Rudisill Blvd. to McKinnie Ave.**
2. **Cascade Drive - west side - from Fairfax Ave. to Silverleaf Drive.**

No Parking 7:00 A.M. - 3:00 P.M. School Days:

1. **Elwood Drive - east side - from Fairlawn Pass to Highwood Drive.**

No Parking 8:00 A.M. - 9:00 A.M. and 3:00 P.M. - 4:00 P.M.:

1. **Oakland Street - both sides - from Spring St. to 180 ft. south.**

(over)

Speed Limit - 25 MPH When Children Are Present:

1. Capitol Avenue - from Anthony Blvd. to Werling Dr.

Speed Limit - 35 MPH:

1. Anthony Blvd. - from Crescent Ave. to U.S. 30.
2. Calhoun St. - from Paulding Rd. to Tillman Rd.

Speed Limit - 40 MPH:

1. Fairfield Ave. - from Pettit Ave. to Tillman Road.
2. Paulding Road - from Fairfield Ave. to east city limits.
3. Trier Road - from U.S. 30 to east City Limits.
4. McKinnie Ave. p from Anthony Blvd. to east City Limits.

Speed Limit - 45 MPH:

1. St. Joe Center Road - from Clinton St. to east City Limits.

REGULATORY RESOLUTION NO22/67/E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution 12/67/E.

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated May 23, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 24,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Renew and extend Regulatory Resolution 12/67/E.

Stop Intersection:

1. Trier Road - STOP - at Hobson Road.

REGULATORY RESOLUTION NO 23/67/E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to stop intersections

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 24, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55, adopted FEB. 14, 1961, to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 24,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Stop Intersections:

1. Gay Street - STOP - at Hayden St.

Delete

1. Hayden St. - STOP - at Gay St.

REGULATORY RESOLUTION NO. 24/67/E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to 30 minute parking and deletion of 60 minute parking.

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 24, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 24,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. 30 Minute Parking 8:00 A.M. - 6:00 P.M.:

1. Clinton St. - east side - from 40 ft. north of Washington Blvd. to a point 66 ft. north thereof.

B. 30 Minute Parking 8:00 A.M. - 3:00 P.M.:

1. Berry St. - south side - from 105 ft. east of Harrison St. to a point 64 ft. east thereof.

C. 60 Minute Parking 8:00 A.M. - 6:00 P.M.:

~~Delete~~

1. Clinton St. - east side - from 40 ft. north of Washington Blvd. to 66 ft. north thereof.

D. 60 Minute Parking 8:00 A.M. - 3:00 P.M.:

~~Delete~~

1. Berry St. - south side - from 105 ft. east of Harrison St. to a point 64 ft. east thereof.

REGULATORY RESOLUTION NO 25/67/E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking and 90 minute parking.

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated May 24, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 24,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Poinsette Dr. - west side - from State Blvd. to 130 ft. south.
2. Pleasant Ave. - west side - from State Blvd. to the alley south.

B. 90 Minute Parking 8:00 A.M. - 6:00 P.M.:

1. Eliza St. - south side - from Ohio St. to 375 ft. east.

REGULATORY RESOLUTION NO 26/67/E

(Adopted _____ May 24 , 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking

_____; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated _____ May 24 , 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective _____ May _____ 24

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Broadway - west side - from Stophlet St. to Michigan Ave.
2. Oxford St. - both sides - from Anthony Blvd. to Wayne Trace.
3. Anthony Blvd. both sides - from Rudisill Blvd. to South City Limits.

REGULATORY RESOLUTION NO. 27/67E

(Adopted May 24, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated May 24, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective May 24,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Harrison Street - both sides- from Rudisill Blvd. to Foster Parkway.

REGULATORY RESOLUTION NO. 28/67/D

(Adopted May 24, 1967)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62 of said chapter as so amended delegates to this Board authority to ~~designate~~
preferential intersections

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated May 24, 1967, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 62 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. it is hereby ordered, effective May 24, 1967, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Preferential Intersections:

1. Waynedale Blvd. - Preferential - at Orchard Lane.
2. Franke Park Main Roadway - Preferential - at Childrens Zoo Parking Lot.

City of Fort Wayne

BOARD OF PUBLIC SAFETY

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

JUNE 7, 1967

President of the Common Council
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions numbers 29-67/E, 30-67/E, and 31-67/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

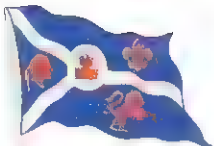
Respectfully Submitted,

Melvin H. Heckman, Chairman
BOARD OF PUBLIC SAFETY

BY:


George W. Bormuth, Exec. Sec'y.

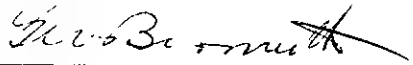
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MADE A MATTER OF RECORD
DATE 6/13/67 WALTER C. MEYERS, CITY CLERK

RETURN CERTIFICATE
29-67/E, 30-67/E &
(Regulatory Resolution No. 31-67 / u)

I hereby certify that I did this 8th day of
June, 196 7 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
29-67/E, 30-67/E &
Regulatory Resolution No. 31-67 / E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 29-67/E

(Adopted June 7, 196 67)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution 14/67/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 7, 196 67, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 7, _____,

196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

Renew and Extend Regulatory Resolution 14-67/E.

Stop Intersection:

1. Guthrie Street - STOP - at Thompson Ave.

REGULATORY RESOLUTION NO. 30-67E

(Adopted June 7, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G - 55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to renewing and extending Regulatory Resolution
15-67/E.

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 7, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G - 55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 7, 196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. Renew and extend Regulatory Resolution 15-67/E
No Parking:

1. Cascade Drive - east side- from Fairfax Ave. to Silverleaf Drive.
2. Nuttman Avenue - south side - from Owaissa Way to Brooklyn Ave.

90 Minute Parking 8:00 A.M. to 6:00 P.M.:

1. Tilden Avenue - both sides - from Anthony Blvd. to Garfield St.

Stop Intersection:

1. Kinnaird Avenue - STOP - at Indiana Ave.

One Way Street: Delete

1. Schick St. @ north bound - from Maumee Ave. to Washington

REGULATORY RESOLUTION NO. ~~31-67~~/E

(Adopted June 7, 196 7)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to parking regulations, no parking

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 7, 196 7, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 7, 196 7, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking:

1. Hanna Street - east side - from Tillman Road to 400 ft. north thereof.
2. Tillman Road - north side - from Hanna Street to 175 ft. east thereof.



City of Fort Wayne

J. ROBERT ARNOLD
City Attorney
1120 Lincoln Tower
743-3397

June 12, 1967

Mr. Edwin J. Rousseau
President of the Common Council
Fort Wayne, Indiana

Dear Mr. Rousseau:

You have asked my opinion as to whether an ordinance concerning the employment of professional strike-breakers similar to the Albany ordinance would be lawful if adopted in Fort Wayne.

This presents at least three questions: whether the ordinance would be constitutional as an exercise of the police power; whether it would infringe on the area of labor relations pre-empted by the federal government; and whether it is within the powers given to Indiana cities by the Indiana legislature.

As to the first two questions, in apparently the only reported case on such a city ordinance, a New York court in People v. Eastern Airlines, 237 NYS 2d 235, in 1963 expressly refused to decide the validity of the ordinance because it found that the conduct involved there did not violate the ordinance anyway.

Some factors are clear. The common council has no power to enter the field of labor relations. It may act to preserve the peace and the safety of its citizens. Of course, city authorities may act to preserve the peace in a strike even without such an ordinance.

Courts are very properly hesitant to inquire into



the true motive of legislators in enacting laws. But legislators are equally obligated to uphold the constitution and the laws and must consult their own consciences as to the real motives of their actions.

One factor in Indiana that was perhaps not present in New York is that the powers given to Indiana cities by our General Assembly are quite strictly limited. This power is certainly not expressly granted. The general catch-all clause at the end of Section 48-1407 of Burns Indiana Statutes:

"Fifty-third. To carry out the objects of the corporation, not hereinbefore particularly specified,"

is not as broad as the so-called "general welfare" clauses in many states.

Under this clause, our Appellate Court, in denying to the City of Garrett the power to erect a community building, said at page 438 of 166 North Eastern Reporter:

"The statute under which a municipal corporation is created is its organic act. Such a corporation can only exercise the following powers:
(1) Those granted in express words;
(2) those necessarily implied in or incident to the powers expressly granted; and those essential to the declared objects and purposes of the corporation, not simply convenient, but indispensable."

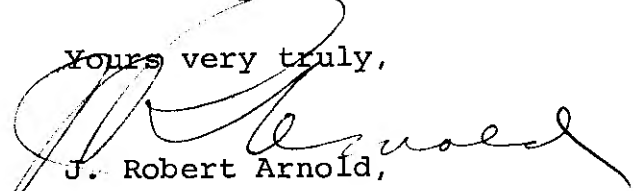
All in all, in my opinion a strike breaker ordinance of the Albany type would not be valid in Fort Wayne.

MADE A MATTER OF RECORD

DATE 6/13/67 WALTER C. MEYERS, CITY CLERK

A:H: jmp

Yours very truly,


J. Robert Arnold,
City Attorney

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 13th day of June, 1967; that the numbered ordinances ^{Resolutions} shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance ^{Resolutions} respectively; and that all such records, proceedings ~~and~~ ordinances ^{Resolutions} remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 13th day of June, 1967.

Walter C. Meyers
City Clerk

SEAL

CITY TREASURER'S AND CONTROLLER'S OR CLERK'S MONTHLY BALANCE

A. E. BOYCE CO., MINNIE, IND. 91233

PRESCRIBED BY STATE BOARD OF ACCOUNTS CITY FORM NO. 206A - 1988

MONTH OF MAY 1967

FINANCIAL STATEMENT

TOTAL JAN. 1 BALANCE AND RECEIPTS TO DATE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	F U N D S	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSEMENTS	TREASURER'S ENDING BALANCE	CLERK'S OR CONTROLLER'S ENDING BALANCE
1	2	3		4	5	6	7	8
2,258,653.48	1,530,049.49	3,788,702.97	GENERAL	2,165,340.46	537,279.83	2,702,620.29		1,086,082.68
4,151.44		4,151.44	STREET SPECIAL	54.80	28.00	82.80		4,068.64
1,629,849.59	110,956.25	1,740,805.84	MOTOR VEHICLE	1,182,079.66	78,769.55	1,260,849.21		479,956.63
448,568.00	200,000.00	648,568.00	SEWER RELIEF	342,481.98	206,681.33	549,163.31		99,404.69
35,995.35		35,995.35	FLOOD PREVENTION	9,998.30	2,028.69	12,026.99		23,968.36
194,237.82	1,453.50	198,770.32	FIRE PENSION	109,515.50	37,908.97	147,424.47		51,345.85
161,446.71	104,318.92	265,765.63	POLICE PENSION	121,813.48	43,548.72	165,362.20		100,403.43
22,988.56	315.00	23,303.56	SANITARY OFFICER'S PENSION	6,614.97	2,736.74	9,351.71		13,951.85
32,916.50	6,628.61	39,545.11	MUNICIPAL EMPLOYEE'S PENSION	25,578.18	6,612.94	32,191.12		7,353.99
47,507.73	13,382.81	60,890.54	PARKING GARAGE	33,024.51	1,603.91	34,628.42		26,262.12
153,239.42	8,158.23	161,397.65	PARKING METERS	128,274.65	12,483.90	140,758.55		20,639.10
272,908.91	30,792.28	303,701.19	AVIATION	131,598.92	21,417.85	153,016.77		150,684.42
1,635,579.00		1,635,579.00	RED. - R-51 -Anthony Wayne Bank	1,635,360.16		1,635,360.16		218.84
1,899,458.01	994.95	1,900,452.96	RED. - R-51 - Ft. Wayne Nat'l	1,789,238.95	45,653.89	1,834,892.84		65,560.12
84,199.61		84,199.61	REDEVELOPMENT GENERAL	14,193.30		14,193.30		70,006.31
9,785.00		9,785.00	REDEVELOPMENT DISTRICT BOND	-0-		-0-		9,785.00
1,647,979.82	290,335.82	1,938,315.64	RED. - R-52	1,647,310.77	280,738.68	1,928,049.45		10,266.19
64,021.99		64,021.99	RED. - R-53	45,421.67	9,099.76	54,521.43		9,500.56
2,267,061.41	557,171.37	2,824,232.78	PAYROLL	2,234,702.72	530,642.75	2,765,345.47		58,887.31
776,390.21	551,200.77	1,327,590.98	PARK-GENERAL	772,928.53	163,459.24	936,387.77		391,203.21
137,646.51	598.61	138,245.12	PARK-TRUST	7,009.94	2,430.68	9,440.62		128,804.50
1,603.68	49.00	1,652.68	HUMANE TRUST	271.00	75.00	346.00		1,306.68
108,305.57		108,305.57	SINKING	101,110.60		101,110.60		7,194.97
61,970.55		61,970.55	EXPRESSWAY	57,326.20		57,326.20		4,644.35
30,072.73		30,072.73	PUBLIC LIGHTING	24,304.17	721.45	25,025.62		5,047.11
35,008.00		35,008.00	BARRETT LAW MANDATE JUDGEMENT	-0-		-0-		35,008.00
5,798,297.43	2,069,182.36	7,867,479.79	ELECTRIC	5,176,025.69	2,048,381.26	7,224,406.95		643,072.84
2,085,595.01	668,210.17	2,753,805.18	WATER	1,663,513.58	529,511.74	2,193,025.32		560,779.86
2,998,198.77	1,334,015.12	4,332,213.89	SEWER	2,696,699.07	1,295,547.50	3,992,246.57		339,967.32
114,971.67		114,971.67	ST. MARY'S RIVER	97,667.11		97,667.11		17,304.56
1,156.39		1,156.39	PORT WAYNE ART SCHOOL	1,156.39		1,156.39		-0-
341,863.04		341,863.04	CUMULATIVE CAPITAL IMPROVEMENT	148,551.90		148,551.90		193,311.14
525,510.57		525,510.57	CITY-COUNTY BUILDING	523,418.50		523,418.50		2,092.07
340,716.81	3,842.14	344,558.95	REDEVELOPMENT DISTRICT CAPITAL	112,312.93	8,826.63	121,139.56		223,419.39
500.00		500.00	CHANGE (Petty-Cash)	-0-		-0-		500.00
26,228,355.29	7,484,734.40	33,713,089.69	TOTALS	23,004,898.59	5,866,189.01	28,871,087.60		4,842,002.09
ADJUSTMENTS (explain fully)								
BALANCE (col. 7 must agree with col. 8)								

AND REPORT TO CITY COUNCIL

DEPOSITORY STATEMENT MONTH OF _____ 19____

NAMES OF DEPOSITORIES AND DEPOSITORY ACCOUNTS	DEPOSITORY BALANCE END OF MONTH 9	OUTSTANDING WARRANTS 10	NET DEPOSITORY BALANCE 11
TOTALS			
ADD: Cash In Office			
ADJUSTMENTS (explain fully)			
TOTAL CASH BALANCE (must agree with balances in columns 7 and 8)			